

REMARKS

This application has been reviewed in light of the Office Action dated October 6, 2005. Claims 1 and 4-18 are presented for examination. Claims 5, 11, and 12 have been amended as explained below. Claims 1 and 10 are in independent form. Favorable reconsideration is requested.

Applicants note with appreciation the allowance of Claims 10 and 13.

Claim 5 has been amended to remove reference numbers. Applicants note that the last few lines of that claim were inadvertently omitted in the Amendment filed July 20, 2005. Claim 5 has been correctly presented above with the omitted lines restored.

Claims 11 and 12 were rejected under 35 U.S.C. § 112, second paragraph, as indefinite. These claims have been reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, with special attention to the points raised in paragraph 4 of the Office Action. Specifically, Claims 11 and 12 have been amended to ensure antecedent basis for the “first transverse direction”. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 11 and 12 are believed to be allowable, because they depend from allowed independent Claim 10. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Claims 1, 4, 5 and 15-18 have been rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,273,406 (“Miyamoto”) in view of U.S. Patent No. 6,899,323 (“Takeshita”). Claims 6-9 have been rejected as obvious over Miyamoto in

view of Takeshita and U.S. Patent No. 5,516,083 (“Sprang”). Claim 14 has been rejected as obvious over Miyamoto in view of Takeshita and U.S. Patent No. 6,622,996 (“Mayerbock”).

Applicants respectfully request withdrawal of these rejections, because, as explained below, Takeshita does not qualify as prior art against the present application.

Takeshita, which was filed on August 25, 2003 and published on March 11, 2004, is based on a prior U.S. application filed September 5, 2002. The publication date is less than one year prior to the filing date of the present application (April 15, 2004), so Takeshita does not qualify as prior art under 35 U.S.C. § 102(b). Thus, the earliest date that this reference is available as prior art is September 5, 2002, under 35 U.S.C. § 102(e).

The present application is a continuation of PCT International Application No. PCT/FR02/03446, filed October 10, 2002, which claimed priority to French Patent Application No. 01/13345, filed October 16, 2001 (now French Patent No. 2830911).

A reference can be antedated by an earlier foreign priority application “if 35 U.S.C. 119 is met and the foreign application or provisional application ‘supports’ (conforms to 35 U.S.C. 112, first paragraph, requirements) all the claims of the U.S. application.” M.P.E.P. § 2136.05; see also, M.P.E.P. § 706.02(b)).

Applicants have fully complied with the requirements of 35 U.S.C. § 119. Regarding support for the claims, Applicants note that the differences between the French priority document and the present application as filed are minor, except that the priority document does not include a discussion of certain advantages and effects relating to Claim 15 (which is directed to the internal reinforcement having a thickened and/or enlarged wall section at its longitudinal ends). However, the priority document fully

describes the features of that claim, e.g., as shown in Figure 1 and as discussed at page 16, lines 5-14 (see FR 2830911):

L'armature interne 3 présente un espace central axial 33 qui permet d'y engager une vis pour la fixation de ladite armature à une pièce. La paroi de l'armature interne 3 est évasée et épaisse au niveaux de ses deux extrémités 34 et 35 de manière à accroître la surface de contact avec la vis et/ou la pièce, ce qui permet d'assurer une fixation solide et résistante aux sollicitations en rotation axiale. Une telle déformation des extrémités de l'armature 3 est obtenue à froid après moulage des éléments élastiques de l'articulation, en engageant un outil rotatif dans l'extrémité de l'armature 3 qui a initialement la forme d'un tube uniforme.

Applicants note that this portion corresponds to paragraph 63 of the present application as filed:

[0063] The internal reinforcement 3 has a central axial space 33 which allows a screw to be engaged there for fixing said reinforcement to a piece. The wall of the internal reinforcement 3 is flared and thickened at the level of its two ends 34 and 35 in order to increase the contact surface with the screw and/or the piece, which allows a fixing which is solid and resistant to axial rotational stresses to be ensured. Such a deformation of the ends of the reinforcement 3 is obtained when cold after moulding of the elastic elements of the joint by engaging a rotary tool in the end of a blank of the reinforcement 3 which initially has the shape of a uniform tube. . . .

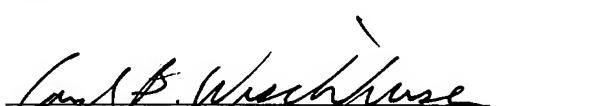
It is therefore respectfully submitted that the priority document fully supports all of the claims, including Claim 15. Accordingly, the filing date of the priority document can be relied upon and Takeshita can be antedated. Because all of the prior art rejections are based on Takeshita, Applicants believe that all of the claims are now in condition for allowance.

This Amendment After Final Action is believed clearly to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

  
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